

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

**MONIQUE SHENELL FORD
ADMINISTRATOR OF THE ESTATE
OF DARRYL TERRELL BECTON,
DECEASED**

Plaintiff,

v.

CORIZON HEALTH, INC., *et al.*

Defendants.

Case No.: _____

NOTICE OF REMOVAL

To the Honorable Judges of the Eastern District of Virginia:

Defendants, Sheriff Elizabeth Arthur and Deputy Seaton Sok (hereinafter referred to collectively as “Defendants”), by and through their undersigned counsel, Alexander Francuzenko, Esq., and the law firm of Cook, Craig & Francuzenko, PLLC, hereby submit this Notice of Removal pursuant to 28 U.S.C. § 1446, requesting that this Honorable Court assume jurisdiction over this action, and sets forth the following reasons:

1. The above-captioned matter was commenced by the filing of a Complaint in the Circuit Court of Arlington County on March 11, 2022. The action is currently pending in that court. (*See* Exhibit 1, Arlington Circuit Court – Civil Division Case information for Case No. CL22000870-00).

2. A copy of the Complaint and the summons issued to the Defendants is attached hereto pursuant to 28 U.S.C. § 1446 (Exhibit 1). To date no defendant has filed a responsive

pleading. In Monique Shenell Ford, the Administrator of the Estate of Darryl Terrell Becton, (“Monique Ford”)’s Complaint, Plaintiff demands a trial by jury.

3. Plaintiff, Monique Ford’s Complaint alleges a “deprivation of his constitutional rights guaranteed by the Fourteenth Amendment to the U.S. Constitution and protected under 42 U.S.C. § 1983” as well as multiple state law negligence claims. (Ex. 1 at ¶ 110).

4. Under Count IV, Plaintiff asserts that, “[Sok] failed to provide access to necessary medical care” and engaged in their “injurious conduct with deliberate indifference” and “as a direct and proximate result of the [f]oregoing Defendants’ conduct, Mr. Becton was injured.” (Ex. 1 at ¶ 105-7, 110).

5. Pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1443, this case meets the requirements for removal to federal court as it asserts claims arising out of the United States Constitution and laws of the United States and maintains a “civil rights” action. This Court has supplemental jurisdiction over Plaintiff’s state law negligence claims pursuant to 28 U.S.C. § 1367(a).

6. Defendants were served with the Complaint on March 21, 2022. This Notice of Removal is being filed with the Court within thirty (30) days after Defendants’ receipt of the Complaint. As thirty (30) days have not expired since the action was received by Defendants, removal is proper pursuant to 28 U.S.C. § 1446(b).

7. All the other Defendants give their consent to this removal.

8. The filing of this Notice of Removal is being served on Plaintiff and the Clerk of Arlington County Circuit Court. (Exhibit 2).

9. Based on the foregoing, this action must be removed to United States District Court for the Eastern District of Virginia, Alexandria Division, pursuant to 28 U.S.C. § 1446.

WHEREFORE, the Defendants, Sheriff Elizabeth Arthur, and Deputy Seaton Sok, respectfully request that this action be removed from Arlington County Circuit Court to the United States District Court for the Eastern District of Virginia (Alexandria Division).

Respectfully Submitted,

/s/

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this **13th** day of **April** 2022, I served a copy of the foregoing Notice of Removal upon the following via first-class U.S. Mail:

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